

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 1.53(b))</i>		Attorney Docket No. 03551.0135	
		First Inventor Ferrone et al.	
		Title GD3 Peptide Mimics	
		Express Mail Label No. EJ276130607US	

03906 U.S. PTO  
 10/618336  
 07/11/03

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents</i>	Mail Stop Patent Application <b>ADDRESS TO:</b> Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450
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1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>24</u> ] <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R&D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <u>5</u> ] 5. <input type="checkbox"/> Oath or Declaration [Total Pages <u>1</u> ] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input checked="" type="checkbox"/> Paper c. <input checked="" type="checkbox"/> Statements verifying identity of above copies
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<b>ACCOMPANYING APPLICATION PARTS</b>
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 17. <input checked="" type="checkbox"/> Other: <u>Check in the amount of \$ 375.00 &amp; unexecuted          Declaration</u>

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of the prior application No: <u>/</u> Prior application information: Examiner: _____ Group/Art Unit: _____ For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
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<b>19. CORRESPONDENCE ADDRESS</b>					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		26712		OR <input type="checkbox"/> Correspondence address below	
NAME		Ranjana Kadle  Hodgson Russ LLP			
ADDRESS		One M&T Plaza, Suite 2000			
CITY	Buffalo	STATE	New York	ZIP CODE	14203-2391
COUNTRY	United States of America	TELEPHONE	(716) 856-4000	FAX	(716) 849-0349
Name (Print/Type)		Ranjana Kadle		Registration No. (Attorney/Agent)	
Signature				Date	
				40,041 July 11, 2003	

PTO/SB/17 (05-03) Approved for use through 04/30/2003, OMB 0651-0032 <b>FEE TRANSMITTAL</b> <b>for FY 2003</b> <i>Effective 01/01/2003. Patent Fees are subject to annual revision.</i>				Application Number			
				Filing Date		July 11, 2003	
				First Named Inventor		Ferrone et al.	
				Examiner Name			
				Group/Art Unit			
■ Applicant claims small entity status. See 37 CFR 1.27.				Attorney Docket Number		03551.0135	
TOTAL AMOUNT OF PAYMENT		(\$) 375.00					
METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <u>08-2442</u> Deposit Account Name: <u>Hodgson Russ LLP</u> The Director is hereby authorized to (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any fee deficiencies or credit any overpayments <input type="checkbox"/> Charge any additional fees during pendency of this application. <input type="checkbox"/> Charge fees indicated below, except for the filing fee to the above-identified deposit account				<b>3. ADDITIONAL FEES</b>			
				Large Entity      Small Entity			
				Fee Code	Fee (\$)	Fee Code	Fee (\$)
				Fee Description		Fee Paid	
				1051	130	2051	65
				Surcharge - late filing fee or oath		\$	
				1052	50	2052	25
				Surcharge - late provisional filing fee or cover sheet		\$	
				1053	130	1053	130
				Non-English specification		\$	
				1812	2,520	1812	2,520
				For filing a request for <i>ex parte</i> reexamination		\$	
				1804	920*	1804	920*
				Requesting Publication of SIR prior to Examiner Action		\$	
				1805	1,840*	1805	1,840*
				Requesting Publication of SIR after Examiner Action		\$	
				1251	110	2251	55
				Extension for reply within first month		\$	
				1252	410	2252	205
				Extension for reply within second month		\$	
				1253	930	2253	465
				Extension for reply within third month		\$	
				1254	1,450	2254	725
				Extension for reply within fourth month		\$	
				1255	1,970	2255	985
				Extension for reply within fifth month		\$	
				1401	320	2401	160
				Notice of Appeal		\$	
				1402	320	2402	160
				Filing a brief in support of an appeal		\$	
				1403	280	2403	140
				Request for oral hearing		\$	
				1451	1,510	1451	1,510
				Petition to institute a public use proceeding		\$	
				1452	110	2452	55
				Petition to revive - unavoidable		\$	
				1453	1,300	2453	650
				Petition to revive - unintentional		\$	
				1501	1,300	2501	650
				10 advance copies		\$	
				Utility issue fee (or reissue)		\$	
				1202	18	2202	9
				Claims in excess of 20		\$	
				1201	84	2201	42
				Independent claims in excess of 3		\$	
				1203	280	2203	140
				Multiple dependent claim if not paid		\$	
				1204	84	2204	42
				**Reissue independent claims over original patent		\$	
				1205	18	2205	9
				**Reissue claims in excess of 20 and over original patent		\$	
				1806	180	1806	180
				Submission of Information Disclosure Statement		\$	
				8021	40	8021	40
				Recording each patent assignment per property (times number of properties)		\$	
				1809	750	2809	375
				Filing a submission after final rejection(37 CFR 1.129(a))		\$	
				1810	750	2810	375
				For each add'l invention to be examined(37 CFR 1.129(b))		\$	
				1801	750	2801	375
				Request For Continued Examination (RCE)		\$	
				1802	900	1802	900
				Request for Expedited Examination of a design application		\$	
				Other fee (specify)		\$	
				*Reduced by basic filing fee paid		SUBTOTAL (3)	
						\$ 0	

Express Mail Mailing Label Number EJ276130607US

Date of Deposit July 11, 2003

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Ferrone et al.
	Title	GD3 Peptide Mimics
	Attorney Docket Number	03551.0135

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 11, 2003

Date

  
Signature

(716) 848-1628

Telephone number

Ranjana Kadle, Reg. No. 40,041

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.